REMARKS

Claims 1, 4-20, 23-24, 27-31, 33-39, 43, 47, 50-51, 54, 57-65, and 68-73 are pending in this application after this Amendment. Claims 2-3, 21-22, 25-26, 32, 40-42, 44-46, 48-49, 52-53, 55-56, and 66-67 have been canceled without prejudice or disclaimer to the subject matter contained therein. Claims 1, 20, 39, 43, 47, and 51 are independent. New claims 72 and 73 are presented for consideration by the Examiner. In light of the amendments and remarks contained herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

By this Amendment, Applicants have amended the claims to more appropriately recite the present invention. These amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claims 1, 3, 4-20, 22-24, 27-39, 43, 45, 47, 49-51, and 53-71 under 35 U.S.C. § 103(a) as being unpatentable over *Lazzouni et al.* (USP 5,652,412) in view of *Hecht et al.* (USP 6,327,395) and further in view of *Dymetman et al.* (USP 6,752,317). Applicants respectfully traverse this rejection.

Claim Rejections - 35 U.S.C. § 103

By this Amendment, Applicants have amended claim 43 to recite, *inter alia*, a system for information management comprising a sensing wand adapted to record information electronically by using position information obtained from a first subset of a position code provided on a writing region and to detect interaction with at least one

activation icon by using position information obtained from a second subset of the position code with which the activation icon is provided; a memory in the sensing wand, which stores information indicative of positions coded on the writing region and the activation icon by the first and second subset, respectively; the sensing wand being adapted to initiate the predetermined operation for the recorded information obtained from the writing region in response to the detection of the at least one activation icon, the detection occurring when the sensing wand establishes that position information received from the sensed product corresponds to a position coded on the activation icon by the second subset of the position code.

In support of his rejection of claim 43, the Examiner admits that both *Lazzouni* and *Hecht* use a microprocessor outside the sensing wand for interpreting an activation icon and interpreting the position code. Applicants respectfully submit that *Dymetman* fails to cure the deficiencies of *Lazzouni* and *Hecht* by failing to teach or suggest the emphasized features noted above.

The *Dymetman* pointer operates in two modes: Standard mode and Mouse mode. In the Standard mode, the position of the pointer and a click event is sent to a digital page each time the user clicks on a button on the pen. In the Mouse mode, the pen sends its position to the digital page at regular intervals, in addition to sending its position with a click event when the user clicks (see col. 27, lines 31-51).

The digital page is an object comprising functions and data that is constructed as the active counter part to a physical page. As such, it implements any action initiated by the user interaction with the physical page (col. 23, lines 16-21). The digital page can

be, e.g., a Web page and can be located on a conventional Web server or other server or machine on the network (col. 9, lines 60-67). Thus, the digital page is not in the pen, nor is it co-located in any way with the pen.

The coded substrate communication infrastructure delivers the position and the clicking events from the pointer to the digital page, delivers output from the digital page to a peripheral whose address has been specified, and delivers mode-switching commands from the digital page to the pointer. Communication between the physical page and digital page is limited to these kinds of information (col. 23, lines 28-34).

A digital page receives the position of the pointer, and must determine if that position is within an active region. To this end, it can have a description of the active regions on this page (col. 23, lines 56-60). Once the digital page has determined that a position is within an active region, it can cause an action (or a number of actions) to be executed (col. 24, lines 7-9). A digital page can have at least one action table describing active regions on the page. At any time, one action table can be active, which is to say that positions delivered to the digital page will be looked up in that table. A coded substrate-based action (one arising through some user interaction with a coded substrate document using a pointer) often results in output on a machine near the user, while the digital page resides at some arbitrary location on the network. (col. 24, lines 21-30).

It is clear from the above that there is no detection in the pointer of any activation icon and there is no information stored in the pointer about to which different regions different positions/coordinates belong. When the *Dymetman* pointer is used to write

notes, it has to operate in the Mouse mode and positions are sent to the digital point regularly. When the user wants to initiate an action he points the pointer on the substrate, e.g., on an icon, and clicks on a button on the pointer. As a result, the position information in the click event is sent to the digital page. Thus, the *Dymetman* pointer does not know what it is sending to the digital page; it just decodes position information from the images and forwards the position information to the digital page.

Based on the teachings noted above, Applicants respectfully submit that *Dymetman* fails to cure the deficiencies of the teachings of *Lazzouni* and *Hecht* as *Dymetman* fails to teach or suggest a memory in the sensing wand which stores information indicative of positions coded on the writing region and the activation icon by the first and second subset, respectively, the detection of the activation icon occurring when the sensing wand establishes that position information received from the sensed product corresponds to a position coded on the activation icon by the second subset of the position code. As none of the references, either alone or in combination, assuming these references are combinable, which Applicants do not admit, teach or suggest these claimed elements, Applicants respectfully submit that claim 43, as amended, is not obvious over the references as cited. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 64-65 are allowable for the reasons set forth above with regard to claim 43 at least based upon their dependency on claim 43.

It is respectfully submitted that claim 1, as amended, recites, *inter alia*, a product comprising at least one activation icon coded by a second subset of the position code

representing the activation icon and coding at least one position, the device detecting the activation icon by using the information stored in the device's memory indicative of which positions belong to the writing position code region and the activation icon, respectively. For the reasons noted above with regard to claim 43, Applicants respectfully submit that none of the references, either alone or in combination, teach or suggest this claim element. As such, Applicants respectfully submit that claim 1, as amended, together with claims dependent thereon, are not obvious over the references as cited.

By this Amendment, Applicants have amended claim 20 to recite, *inter alia*, an information management device comprising a memory mounted for movement with the pen and storing information indicative of which positions are coded on the writing surface and the activation icon, respectively, and processing circuitry mounted for movement with the pen for using the position codes read by the reader from the writing surface to develop path information, the processing circuitry identifying where the pen interacts with the activation icon by using the information stored in the memory to produce a signal to initiate a predetermined operation. As noted above with regard to claim 43, none of the references teach or suggest these claim elements. As such, Applicants respectfully submit that claim 20, as amended, together with claims dependent thereon, are not obvious over the references as cited.

By this Amendment, Applicants have amended claim 39 to recite, *inter alia*, a computer program stored on a computer readable storage medium which performs the steps of using information in a memory of the pen indicative of which positions are

coded by the position code on the writing surface and on the activation icon, respectively, to establish whether positions received in the input signal belong to the writing surface or the activation icon, and interpreting a position belonging to the activation icon as a command to initiate a predetermined operation which utilizes the information written on the writing surface. As noted above with regard to claim 43, none of the references teach or suggest these claim elements. As such, Applicants respectfully submit that claim 39, as amended, together with claims dependent thereon, are not obvious over the references as cited.

By this Amendment, Applicants have amended claim 47 to recite, *inter alia*, a method for interacting with information written on a writing surface comprising using pre-stored information indicative of which positions are coded on the writing surface and at least one activation icon by the first and second subset, respectively, to determine if the coded positions belong to the writing surface or the activation icon processing the decoded positions belonging to the writing surface, and processing a decoded position belonging to the activation icon as an actuation of the activation icon in issuing an instruction to initiate the computer function the activation icon represents, wherein the steps of decoding, using and processing are performed within a device including the position code reader. As noted above with regard to claim 43, none of the references teach or suggest these claim elements. As such, Applicants respectfully submit that claim 47, as amended, together with claims dependent thereon, are not obvious over the references as cited.

By this Amendment, Applicants have amended claim 51 to recite, *inter alia*, a system comprising a pen provided with a position code reader obtaining position indications from the position code on the writing surface and the activation icon in order to record the information written on the writing surface and to actuate the activation icon, and a processor system including a first processor portion collocated with the pen and having a memory which stores information indicative of positions coded on the writing surface and on the activation icon by the first and second subset, respectively, of the position code, the first processor processing an obtained position indication indicating a position belonging to the activation icon as an actuation of the activation icon and issuing an instruction to initiate the computer function the activation icon represents. As noted above with regard to claim 43, the cited references fail to teach or suggest these claim elements. As such, Applicants respectfully submit that claim 51, as amended, together with claims dependent thereon, are not obvious over the references as cited.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

By _____

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